



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.5291 of 1996
Date of Decision: 24.07.2024

Tirlok Singh and others
.....Petitioners.

Versus

Additional Director, Consolidation of Holdings, Punjab & others
.....Respondents.

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- None for the petitioners.

 Mr. Shekhar Verma, Addl. A.G, Punjab
 for respondent No.1.

 Mr. Rajeev Godara, Advocate
 for respondent No.2.

 Mr. Som Nath, Advocate for
 Mr. J.S. Toor, Advocate
 for respondent No.3.

G.S. SANDHAWALIA, J.(Oral)

Challenge in the present writ petition is to the order dated 28.02.1995 (Annexure P-1) passed by the Additional Director, Consolidation of Holdings, Punjab, Jalandhar in the petition filed by the petitioners under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. The said order was preferred against the order dated 07.08.1985 of the Consolidation Officer. While



passing the impugned order (Annexure P-1), the Additional Director noticed that the petitioners had no *locus standi* to file the petition as they were not the owners in the Village, representing *Jumla Malkan*. Further, the order of the Consolidation Officer had since been implemented and the equal area had been compensated to the hospital from the *Tak* of the private respondents and the hospital did not suffer any loss. A *Pacca* wall had been constructed around the Rasta which had been given to the Panchayat and the private respondents had been using the path given to them in pursuance of the order of Consolidation Officer.

2. This Court, while issuing notice of motion on 15.04.1996, had directed to maintain status-quo as existed at that point of time, keeping in view the contention of learned counsel for the petitioners that instead of passage as shown 'XY' in the site plan, if the respondents were provided passage as shown 'AB' in the plan, it would not bifurcate the property of the petitioners into two parts, where they were running a charitable hospital. It is also apparent from the record that on 15.09.2022, learned counsel for the petitioners had submitted that the charitable hospital, which was being run by a Trust, had been taken over by the State. However, on 08.01.2024, learned State counsel had informed that the previously engaged counsel by the petitioners, Mr. Amarjit Markan, Advocate, had expired. Moreover, a perusal of the order dated 08.07.2024 shows that as per the office report, all the petitioners have since passed away.

3. The grouse of the petitioners at that point of time was that in case the respondents were provided passage, it would bifurcate their



property into two parts, where they were running a charitable hospital. However, the said hospital has already been stated to be taken over by the State and nobody has been appearing in the Court to contest the present writ petition.

4. Resultantly, the present writ petition is disposed of as infructuous in view of the above facts and circumstances.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

July 24, 2024
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No